

Message Text

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PAGE 01 OTTAWA 04313 262158Z

ACTION COME-00

INFO OCT-01 EUR-12 ISO-00 EB-07 L-03 TRSE-00 /023 W

-----271220Z 065499 /43

R 262155Z MAY 77

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC 3592

UNCLAS OTTAWA 04313

E.O. 11652:N/A

TAGS: EIND, EINV, CA

SUBJECT: WESTINGHOUSE TRADEMARK

REF: STATE 65455, OTTAWA 2291

1. CANADIAN REGISTRAR OF TRADE MARKS MADE DECISION MAY 18 THAT CAMCO WAS AN "INTERESTED PARTY" IN WCI CANADA'S APPLICATION FOR REGISTERED USE OF WESTINGHOUSE TRADEMARK AND SCHEDULED PUBLIC HEARINGS FOR MAY 26 TO GIVE CAMCO OPPORTUNITY TO PRESENT ITS CASE.

2. WCI CANADA, HOWEVER, HAS APPEALED TO FEDERAL COURT AND SUCCEEDED IN POSTPONING PUBLIC HEARING UNTIL COURT RULES ON THE VALIDITY IN LAW OF DECISION TO MAKE CAMCO AN "INTERESTED PARTY" AND TO HEAR ITS SIDE OF STORY.

3. CONSUMER AND CORPORATE AFFAIRS OFFICIAL HAS INFORMED EMBOFF THAT BECAUSE OF HEAVY COURT DOCKET IT IS UNLIKELY, UNLESS WCI CAN PROVE URGENCY AND GET CASE HEARD OUT-OF-ORDER EARLIER, THAT CASE WILL BE CONSIDERED BEFORE COURT'S SUMMER RECESS.

4. COMMENT: CANADIAN OFFICIALS HAVE ALL ALONG THOUGHT THAT CASE WOULD EVENTUALLY WIND UP IN COURT NO MATTER WHAT REGISTRAR DECIDED. DELAY PROBABLY WORKS IN FAVOR OF CAMCO SINCE WCI HAD APPLIED FOR REGISTERED USER
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STATUS ONLY UNTIL MARCH 1, 1978. ENDERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, TRADEMARKS
Control Number: n/a
Copy: SINGLE
Sent Date: 26-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977OTTAWA04313
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770190-0096
Format: TEL
From: OTTAWA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770514/aaaaamaj.tel
Line Count: 56
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 1f683289-c288-dd11-92da-001cc4696bcc
Office: ACTION COME
Original Classification: UNCLASSIFIED
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: n/a
Previous Handling Restrictions: n/a
Reference: 77 STATE 65455, 77 OTTAWA 2291
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 22-Mar-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2355911
Secure: OPEN
Status: NATIVE
Subject: WESTINGHOUSE TRADEMARK
TAGS: EIND, EINV, CA, US, WESTINGHOUSE, CAMCO
To: STATE
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/1f683289-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009